

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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GILEAD SCIENCES, INC., GILEAD
SCIENCES IRELAND UC, and GILEAD
SCIENCES LLC,

Plaintiffs,

-against-

SAFE CHAIN SOLUTIONS LLC, *et al.*,

Defendants.

**[PROPOSED] ORDER ON
SECOND MOTION TO COMPEL**

21-CV-4106
(Donnelly, J.)
(Marutollo, M.J.)
X

WHEREAS, on July 31, 2024, pursuant to Fed. R. Civ. P. 45, Plaintiffs Gilead Sciences, Inc., Sciences Ireland UC, and Gilead Sciences, LLC (collectively, “Plaintiffs” or “Gilead”) filed a motion to compel compliance with non-party subpoenas (“Subpoenas”) issued to Royal Leaf Club, 71st Rx Pharmacy, Rego Convenience Store LLC, Royal Auto Motors, Bronx Laundromat, Continental Spirits & Wine LLC, Imaging Center of Englewood LLC, DM Steel Corp, All Boro Ready Mix, Fotile America LLC, Guallpa Construction, J & A Pools, JMR General Contractor’s Corp, PMJ Home Construction, Presto General Contractor, and the Old Electrical Corp (“the Third Parties”) (Dkt. No. 1408);

WHEREAS, Defendants Peter Khaim, A & P Rockaway LLC, B & O Estates LLC, Etzhaim Inc., Khaim Family Irrevocable Living Trust, Oksana Poltilova, 5 Continental Ventures LLC, 91 Park LLC, 91 Rego LLC, 93 Everton LLC, 214 Jamaica LLC, and 441 Willis Ave LLC do not oppose the motion and have not interposed a response to the motion; and

WHEREAS, the Subpoenas were properly served and the Third Parties have not produced responsive documents or otherwise responded to the Subpoenas; NOW, THEREFORE,

Gilead's motion is **GRANTED**. Royal Leaf Club, 71st Rx Pharmacy, Rego Convenience Store LLC, Royal Auto Motors, Bronx Laundromat, Continental Spirits & Wine LLC, Imaging Center of Englewood LLC, DM Steel Corp, All Boro Ready Mix, Fotile America LLC, Gualpa Construction, J & A Pools, JMR General Contractor's Corp, PMJ Home Construction, Presto General Contractor, and the Old Electrical Corp are hereby **ORDERED** to fully comply with the Subpoenas by **August 12, 2024**.

Failure to comply with the Subpoenas by August 12, 2024 may result in Royal Leaf Club, 71st Rx Pharmacy, Rego Convenience Store LLC, Royal Auto Motors, Bronx Laundromat, Continental Spirits & Wine LLC, Imaging Center of Englewood LLC, DM Steel Corp, All Boro Ready Mix, Fotile America LLC, Gualpa Construction, J & A Pools, JMR General Contractor's Corp, PMJ Home Construction, Presto General Contractor, and the Old Electrical Corp being subject to sanctions.

Gilead's counsel is hereby ordered to serve a copy of this order on Royal Leaf Club, 71st Rx Pharmacy, Rego Convenience Store LLC, Royal Auto Motors, Bronx Laundromat, Continental Spirits & Wine LLC, Imaging Center of Englewood LLC, DM Steel Corp, All Boro Ready Mix, Fotile America LLC, Gualpa Construction, J & A Pools, JMR General Contractor's Corp, PMJ Home Construction, Presto General Contractor, and the Old Electrical Corp. by **August 5, 2024** by email (where an email address is known to Gilead's counsel) and regular and certified mail.

SO ORDERED.

Dated:

Brooklyn, New York
August 2, 2024

JOSEPH A. MARUTOLLO
United States Magistrate Judge